

THE MIDTOWN ALEXANDRIA STATION CONDOMINIUM ASSOCIATION

Policy Resolution No. 08-06

(Satellite and Exterior Antennae)

WHEREAS, Article III, Section 3.1 of the Bylaws of The Midtown Alexandria Station Condominium Association ("Bylaws") assigns to the Board of Directors ("Board") all of the powers and duties necessary for the administration of the affairs of The Unit Owners Association ("Association") and provides that the Board may do all such acts and things as are not prohibited by the Condominium Act, the Declaration or by the Bylaws required to be exercised and done by the Association; and

WHEREAS, Article III, Section 3.1(6) of the Bylaws provides that the Board shall have the power to adopt rules and regulations; and

WHEREAS, the Federal Communications Commission adopted a rule effective October 14, 1996, which is intended, in certain cases, to supersede the regulations of condominium associations concerning the installation, maintenance, and use of direct broadcast satellite, television broadcast, and multi-point distribution service antennae ("FCC Regulations"); and

WHEREAS, Article V, Section 5.8(a)(4) provides that no unit owner shall obstruct any of the common elements nor shall any unit owner place or cause or permit anything to be placed on or in any of the common elements, (except those areas designated for such storage by the condominium instruments or the Board of Directors) without the approval of the Board; and

WHEREAS, the Board of Directors believes it is in the best interest of the Association to adopt and publish reasonable regulations governing the installation, maintenance, and use of exterior antennae consistent with the FCC Regulations.

NOW, THEREFORE, the Board of Directors adopts the following restrictions and regulations:

I. INSTALLATION RULES

A. Antenna Size and Type

1. Owners and Tenants may install a Direct Broadcast satellite ("DBS"), Direct broadcast station ("TVBS") or Broadband Radio Services ("BRS") antenna that is one meter (39.37 inches) or less in diameter. DBS, TVBS and BRS antennae that are larger than one meter in diameter, are prohibited.
2. Owners and Tenants may install a fixed wireless antenna that is designed to

receive video programming services via broadband radio services ("wireless cable") that is one meter or less in diameter. Wireless cable antennae that are larger than one meter in diameter are prohibited.

3. Pursuant to the FCC rule, Owners and Tenants may install a regular TV antenna designed to receive local broadcast stations.
4. Owners and Tenants may not install any type of antenna that disrupts the reception of the radios and television sets of neighbors. Such antennae are strictly prohibited.
5. Any type of antenna not specifically protected by the FCC rule is prohibited.
6. Owners and Tenants may not install an antenna on a general common element, such as a walkway, hallway, community garden, exterior wall, or the roof. The preferred location for placement of antennae that are permitted under Sections I(A)(1-3) of this Policy (hereinafter "permitted antenna(e)") is on the unit's balcony, secured to a pole which is anchored by a cemented bucket, unless no acceptable signal may be obtained by use of the preferred location. If an acceptable signal may not be reached via the use of the preferred location, antennae may only be installed wholly within another area balcony, deck, patio, or other area where the Owner and Tenant have exclusive use. ("Exclusive use" means either a limited common element or unit component only unit owners and their tenants, guests and invitees, may enter and use to the exclusion of other persons.)

B. Location

1. Owners and Tenants must locate their permitted antenna in a place and manner that shields it from view from the nearest street (s) or from other units in the community to the maximum extent possible, provided that doing so will not: unreasonably delay or prevent installation, maintenance or use of a permitted antenna; unreasonably increase the cost of installation, maintenance or use of a permitted antenna; or preclude reception of an acceptable quality signal from a permitted antenna.
2. The Board of Directors reserves the power to require an Owner and Tenant to install visual barriers, natural or otherwise, around the device to diminish any adverse visual effect that may be caused by the installation of the permitted antenna, provided that doing so will not: unreasonably delay or prevent installation, maintenance or use of a permitted antenna; unreasonably increase the cost of installation, maintenance or use of a permitted antenna; or preclude reception of an acceptable quality signal from a permitted antenna.
3. Permitted antennae shall not be larger or installed higher than is absolutely necessary for reception of an acceptable quality signal, as long as such requirements will not prevent, increase the cost of, or cause an unreasonable delay in the installation, maintenance, or use of such antennae.

4. Permitted antennae must be properly secured so as not to jeopardize the safety of any passerby.
5. Permitted antennae shall be installed and secured in a manner that complies with all applicable Virginia building codes and manufacturer's instructions, provided that those regulations are not superseded by Federal law. Owners and Tenants shall provide the Board with a copy of any applicable governmental permit if it is required for safety reasons.
6. Permitted antennae shall not be placed anywhere near power lines (above-ground or buried). Owners and Tenants must ensure that wind velocity or other forces could not cause the permitted antenna to collide with a power line.
7. Permitted antennae shall be permanently grounded to minimize the possibility of electronic and fire damage.

C. Installation

1. To ensure proper and safe installation, it is highly recommended that licensed contractors install all permitted antennae and wires associated with the permitted antennae.
2. Owners and Tenants must install exterior wiring for a permitted antenna in the least obtrusive manner. Wires must not be visible in situations where such would not cause an unreasonable delay or prevent installation, maintenance or use of a permitted antenna; unreasonably increase the cost of installation, maintenance or use of a permitted antenna; or preclude reception of an acceptable quality signal from a permitted antenna.
3. Owners and Tenants must ensure that their installation or attachment of an antenna does not damage the common elements, limited common elements, or anyone other individual's unit. For example, drilling into any common element is strictly prohibited.
4. Owners and Tenants may attach a permitted antenna to the metal railing or support pole of the balcony or patio by using a "C-clamp" or similar device that grabs the railing or support pole, only if the use of the preferred location, as set forth in Section A, Paragraph 6, does not allow for the reception of an acceptable signal. All other methods of attaching the permitted antenna to the patio, railing or balcony are strictly prohibited as they are not safe.

D. Maintenance

1. The permitted antenna shall always remain the property of the Owner or

Tenant of the unit where the permitted antenna is installed. Accordingly, the Owner or Tenant is solely responsible for maintaining the permitted antenna and must prevent the permitted antenna from falling into disrepair or becoming a safety hazard.

2. If a permitted antenna becomes detached or dislodged, the Owner or Tenant must promptly correct the situation. If the detachment or dislodgment threatens anyone's safety, the Board of Directors may direct Management to remove the permitted antenna at the expense of the Owner or Tenant.
3. The Owner or Tenant shall be responsible for maintaining the permitted antenna's appearance and shall prevent the exterior surface of the permitted antenna from deteriorating.
4. After the installation and attachment of the permitted antenna, the Owner or Tenant must ensure that the permitted antenna always remains properly secured so that it does not jeopardize the structural integrity of any structure or the safety of any person near the permitted antenna, particularly during times of great wind velocity.
5. The Owner or Tenant is responsible for all associated costs of maintaining the permitted antenna, including, but not limited to the:
 - a. Repair of any property caused by the Owner's or Tenant's failure to properly install, maintain, remove, or use the permitted antenna;
 - b. Medical expenses incurred by persons injured by the Owner's or Tenant's failure to properly install, maintain, remove, or use the permitted antenna;
 - c. Reimbursement to residents or the Association for costs incurred to correct damage caused by the Owner's or Tenant's failure to properly install, maintain, remove, or use the permitted antenna.

II. INSURANCE

The Midtown Alexandria Station Condominium Association shall not accept any responsibility to insure any permitted antenna installed by an Owner or Tenant. The antenna shall be considered the personal property of the Owner or Tenant.

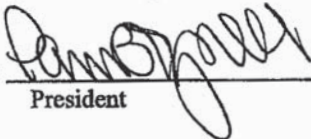
III. ENFORCEMENT

1. If any Owner or Tenant violates any of the items listed in this Policy Resolution, the Board of Directors reserves all of its legal remedies, including, but not limited to, the assessment of special charges against the offending Owner or Tenant as a sanction in accordance with the Association's Due Process Policy Resolution and the Condominium Act.

2. If any antenna installation or attachment poses a serious, immediate safety hazard or threat to property or person, the Board of Directors reserves the power to remove the antenna without notice to the Owner or Tenant. However, when feasible, the Board shall provide advance written notice to the Owner or Tenant allotting a reasonable timeframe for the Owner or Tenant to remedy the hazard.

Enacted this 21st day of April, 2008.

**THE MIDTOWN ALEXANDRIA STATION
CONDOMINIUM ASSOCIATION**

By: 
President